United Nations A/CONF.222/RPM.3/1

General Assembly

Distr.: General
27 February 2014
English
Original: English/Spanish

Thirteenth United Nations Congress on Crime Prevention and Criminal Justice
Doha, 12-19 April 2015

Report of the Latin American and Caribbean Regional Preparatory Meeting for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, held in San José from 19 to 21 February 2014

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I. Introduction

1. In its resolution 56/119, on the role, function, periodicity and duration of the United Nations congresses on the prevention of crime and the treatment of offenders, the General Assembly decided that each congress should be preceded by regional preparatory meetings, and also decided to call future congresses United Nations congresses on crime prevention and criminal justice.

2. The Intergovernmental Group of Experts on Lessons Learned from United Nations Congresses on Crime Prevention and Criminal Justice, which met in Bangkok from 15 to 18 August 2006, stressed the importance of regional preparatory meetings as a key preparatory tool for the congresses and as a conduit to incorporate regional concerns and perspectives into their preparation. The Group noted that despite globalization and the increasingly transboundary nature of criminality, different regions of the world continued to harbour different concerns, which they wanted to see properly reflected in the consideration of various topics by the congresses (E/CN.15/2007/6, para. 23).

3. In its resolution 67/184, the General Assembly requested the Secretary-General to facilitate the organization of the regional preparatory meetings for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and to make available the necessary resources for the participation of the least developed countries in those meetings and in the Thirteenth Congress itself, in accordance with past practice and in consultation with Member States. The Assembly encouraged the relevant United Nations programmes, specialized agencies of the United Nations system and intergovernmental and non-governmental organizations, as well as other professional organizations, to cooperate with the United Nations Office on Drugs and Crime in the preparations for the Thirteenth Congress.

4. In the same resolution, the General Assembly requested the Secretary-General, in cooperation with the institutes of the United Nations crime prevention and criminal justice programme network, to prepare in a timely manner a discussion guide for the regional preparatory meetings and for the Thirteenth Congress, and invited Member States to be actively involved in that process. The Commission on Crime Prevention and Criminal Justice considered a draft discussion guide at its twenty-second session. In its resolution 68/185, the Assembly took note with appreciation of the draft discussion guide and requested the Secretary-General to finalize the discussion guide in a timely manner, taking into account the recommendations of the Commission, as well as additional comments and feedback from Member States, in order to enable the regional preparatory meetings for the Thirteenth Congress to be held as early as possible in 2014. The final discussion guide (A/CONF.222/PM.1) was issued in July 2013.

5. Also in its resolution 67/184, the General Assembly encouraged Governments to undertake preparations for the Thirteenth Congress at an early stage and by all appropriate means, including, where appropriate, the establishment of national preparatory committees. It urged participants in the regional preparatory meetings to examine the substantive items on the agenda and the topics of the workshops of the Thirteenth Congress and to make action-oriented recommendations to serve as a basis for the draft recommendations and conclusions for consideration by the Congress. In its resolution 68/185, the Assembly urged Governments to invite their

representatives to do so and to actively participate in the regional preparatory meetings, where appropriate.

II. Conclusions and recommendations

6. The Latin American and Caribbean Regional Preparatory Meeting for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice agreed that the action-oriented recommendations presented below, reflecting the Latin American and Caribbean perspective, should be considered when preparing the draft declaration to be submitted to the Congress.

A. Substantive items and workshops

1. Item 3 of the provisional agenda of the Congress: successes and challenges in implementing comprehensive crime prevention and criminal justice policies and strategies to promote the rule of law at the national and international levels, and to support sustainable development

7. The Meeting affirmed that the deliberations of the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice should be guided by the consensus reached at the Twelfth Congress with regard to the necessity of respecting and protecting human rights and fundamental freedoms in the prevention of crime and the administration of, and access to, justice, including criminal justice.

8. The Meeting reaffirmed its conviction that sustainable development and the rule of law were mutually reinforcing, as stated in paragraph 7 of the declaration of the high-level meeting of the General Assembly on the rule of law at the national and international levels.

9. The Meeting also recalled that long-term sustainable economic and social development and the establishment of a functioning, efficient, effective and humane criminal justice system had a positive influence on each other, as stated in the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World, which was adopted by the Twelfth Congress.

10. In that regard, the Meeting underscored that the promotion of development, the combating of poverty and social inequality, and public social policies in such areas as education and health, together with social participation, were indispensable for crime prevention and the strengthening of security and the rule of law.

11. The Meeting recalled that crime prevention programmes were well established in most countries and had focused on individuals, communities and/or interrelationships, with varying results. In that regard, it stressed the importance of further promoting the use of evaluation tools and new methodologies to measure in both qualitative and quantitative terms the effectiveness of crime prevention programmes at the national level and encourage their replication in the region.

12. The Meeting further recommended that every effort should be made to prevent violent conflict, including through mediation, conflict resolution and restorative justice programmes, in a spirit of solidarity and mutual understanding.

13. The Meeting recommended that greater emphasis should be placed on the role of education and mentoring at all education levels, in order to instil shared values regarding the importance of the rule of law and the protection of human rights and to contribute to crime prevention.

14. The Meeting urged countries in the region to include in national plans on gender and the advancement of women measures to address women's access to criminal justice.

15. The Meeting also recognized the need for Member States to integrate children's issues into their overall rule of law efforts, to pay particular attention to the issue of child justice and to take into consideration applicable United Nations standards and norms for the treatment of children alleged to have infringed, accused of infringing or recognized to have infringed criminal law, particularly those who were deprived of liberty, and child victims and witnesses of crimes, taking into account the gender, social circumstances and development needs of such children. It was also recommended that Member States develop and implement a comprehensive child justice policy and allocate adequate resources to that end.

16. The Meeting stressed that a crucial factor for the efficiency and effectiveness of law enforcement and criminal justice policies was inter-agency coordination.

17. The Meeting recognized the importance of strengthening the capacity of law enforcement officials to address new forms of crimes and new modi operandi of criminal groups and highlighted the need to improve law enforcement and criminal justice responses to related challenges.

18. The Meeting highlighted the need to strengthen public security, criminal justice and penal institutions and to support the training of all officials of those institutions with a view to ensuring the scientific nature of investigations and trials and the appropriate support for prosecuted and convicted persons, preventing impunity and ensuring respect for the human rights of those involved.

19. The Meeting underlined the significance of comprehensive and inclusive national programmes of implementation of crime prevention and criminal justice policies, including not only security, justice and maintenance of the rule of law, but also promotion of social peace and social inclusion.

20. The Meeting acknowledged that prevention was a principal tool in strategies to address crime and to reduce social inequality, hunger and poverty, especially in the most vulnerable groups. The Meeting recommended that, when developing and implementing national comprehensive crime prevention and criminal justice policies and strategies, States in the region consider measures to include, review or reform alternative justice systems and their role in providing access to justice and redress for people. The Meeting also underlined the need to devote adequate financial resources for the effective implementation of crime prevention and criminal justice programmes, policies and strategies, including corrections and aftercare programmes.

21. The Meeting recommended the creation of a computerized system in all criminal courts to enable participants in criminal proceedings to follow at every stage their criminal cases and seek the protection of their human rights.

22. The Meeting noted that unwarranted publicity about criminal cases at the pretrial stage could have a detrimental impact on the privacy of the defendant and the protection of his or her fundamental human rights (e.g. presumption of innocence), as well as on the protection of minors participating in criminal proceedings.

23. The Meeting recommended that an integrated approach to crime prevention and criminal justice should include the judicial authorities of every country in the development of crime prevention policies, strategies and programmes, particularly in the case of minors in conflict with the law, women victims of crime and vulnerable persons.

24. The Meeting recommended promoting the formulation of comprehensive State policies addressing the reduction and prevention of crime, the prevention of violence, rehabilitation and social reintegration, and support for victims of violence. In order to facilitate the development of such policies, it recommended promoting processes of citizen and community participation with a view to long-term agreements with political and social actors and between the executive, judicial and legislative powers of the State.

25. The Meeting recommended that States make new opportunities available to young persons, both through formal and informal education and through the effective use of leisure activities and initiatives in the areas of sport, culture, art and recreation to facilitate the greatest possible integration and inclusion of young persons in society; and that they promote techniques for the mediation and peaceful resolution of conflicts with a view to fostering a culture of peace, in such a way that individuals learn to face and resolve their problems through communication and dialogue, thus avoiding possible situations leading to violence, particularly in community settings.

26. The Meeting invited States to allocate sufficient resources to ensure the status, training and professional qualifications of prison staff in general, basing their activities on the fullest possible observance of human and gender rights while ensuring compliance with all related resolutions.

27. The Meeting recommended:

(a) That a special justice system for adolescents should be established within the ordinary justice system, covering investigation, trial and sentence enforcement;

(b) That a system of referral to other services and of mechanisms offering alternatives to criminal proceedings should be established;

(c) That the imprisonment of minors should be used only as a last resort and should be of the shortest possible duration, whether as a preventive or punitive measure;

(d) That proceedings against adolescents should be swift, confidential, closed, accusatorial and mainly oral, and that, in case of conviction, alternative penalties should be imposed;

(e) That the purpose and effect of penalties imposed on adolescents should be socioeducational;

(f) That States should be urged to comply with international human rights standards with respect to minors, especially minors in conflict with the law.

28. The Meeting recommended that national statistical systems should be strengthened and that, in particular, national statistical bodies and institutions that prepare statistics should produce and develop official statistical information and indicators relating to crime, crime prevention and criminal justice and the results of surveys, censuses and administrative records in order to support relevant public policies.

Workshop 1. Role of the United Nations standards and norms in crime prevention and criminal justice in support of effective, fair, humane and accountable criminal justice systems: experiences and lessons learned in meeting the unique needs of women and children, in particular the treatment and social reintegration of offenders

29. Given that persons deprived of liberty had the right to education, the Meeting recommended that Member States prioritize unrestricted access for all prisoners to the various levels of formal education, without exception, and that incentives be offered to persons who studied in prison.

30. The Meeting recommended that Member States reaffirm the need for both preventive detention and imprisonment to be understood as *ultima ratio* measures, proposing that States adopt effective mechanisms to ensure the promptness of criminal trials, the use of alternatives to imprisonment and the uniform and unrestricted application of the international human rights principles by the judicial authorities in the imposition of measures restricting freedom, with the aim of keeping incarceration rates compatible with the capabilities of the system.

31. The Meeting encouraged countries to share information on and good practices of promising projects of reintegrating prisoners into society, including through education at all levels and work in prisons; continue working on the admission process, selection, training and evaluation of staff that work in prisons with a rehabilitation and social reintegration approach; and exchange views on architectural models of prisons with a rehabilitation and reintegration approach, especially taking into account the specific needs of women and children in prison.

32. The Meeting recognized that prison administrations in many countries were faced with challenges related to women prisoners, including pregnant women or women prisoners with young children, and Member States were invited to adopt relevant policies and measures in line with the 2010 United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (the Bangkok Rules). Recognizing the specific problem of foreign women prisoners, who are particularly disadvantaged for a number of reasons — they usually receive fewer visits and less support from their relatives, they may have difficulty understanding the local language or adapting to the local culture, and while awaiting trial or serving a sentence abroad, they may not know what is happening to their families, including children and elderly or disabled relatives who depend on them for care — the Meeting recommended that Member States develop policy guidance, as appropriate, on how to deal with such cases in line with the Bangkok Rules.

33. The Meeting supported the prioritization of awareness-raising and public participation for the identification of solutions to prison overcrowding and effective measures for the social reintegration and rehabilitation of offenders for the prevention of reoffending. Furthermore, the Meeting invited Member States to promote the use of alternative measures, such as diversion and restorative justice, and ensure compliance with the principle that children should be deprived of liberty only as a measure of last resort and for the shortest appropriate period of time, as well as to avoid, wherever possible, the use of pretrial detention for children, and to provide support and services for children deprived of their liberty prior to and after release in order to promote their rehabilitation and reintegration into the community.

34. The Meeting recognized that it was necessary to encourage the establishment of mechanisms for alternative justice and pretrial services in order to serve the interests of victims; the strengthening of the principle of presumption of innocence in criminal proceedings; and efforts to seek the early settlement of disputes, bringing offenders to justice in the eyes of society and avoiding prison overcrowding.

35. The Meeting particularly stressed the need to establish a linkage between restorative justice and the justice deserved by the victim through the application of support models and flexible mechanisms ensuring the observance of the human rights of victims, and at the same time to seek the application of alternative penalties for offenders.

36. The Meeting recommended:

(a) The recognition of the issue of women as victims of violence in all its forms;

(b) The criminalization of all forms of violence against women;

(c) The application of a policy to ensure the protection of victims, prevent the revictimization of minors and women and ensure reparation, in accordance with the requirements of due diligence;

(d) Drawing the attention of civil society and the media to the importance and relevance of using alternatives to imprisonment in the case of children and young people;

(e) Highlighting the successful outcomes of restorative justice programmes and making efforts to ensure that more resources be invested in programmes that have a proven impact in reducing recidivism;

(f) Encouraging Member States to establish specialized positions for judges, prosecutors and public defenders duly qualified in the administration of sentences within the juvenile criminal justice system;

(g) The establishment of durations for the application of non-custodial measures equivalent to or longer than those applicable to custodial measures.

2. Item 4 of the provisional agenda of the Congress: nternational cooperation, including at the regional level, to combat transnational organized crime

37. The Meeting recommended that the Congress call upon Member States to adopt, in accordance with their national legislation and international obligations

arising from the United Nations Convention against Transnational Organized Crime and the Protocols thereto, as well as the United Nations Convention against Corruption, flexible and practical approaches when cooperating on extradition and mutual legal assistance and other modalities of international cooperation, such as international cooperation for purposes of confiscation, including asset recovery and cooperation for the detection of and fight against money-laundering, joint investigations and law enforcement cooperation. The Meeting recalled the importance of the aforementioned conventions in enhancing international cooperation in criminal matters.

38. The Meeting recommended that Member States pay particular attention to the fight against corruption and to addressing its links to transnational organized crime and other forms of serious crime. In this regard, the Meeting highlighted the importance of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption. The Meeting invited States in the region to increase the capacity and strengthen the skills of national authorities on issues pertaining to cybercrime and financial investigation units through specialized training.

39. Within the framework of the United Nations Convention against Corruption, the Meeting also recommended that national models of cooperation be disseminated to enable the planning of public policy for countering corruption and money-laundering.

40. The Meeting recommended that the United Nations Office on Drugs and Crime (UNODC) and regional United Nations bodies, in accordance with their mandates, continue to provide technical assistance to countries in the region, upon request, to increase the capacity and strengthen the skills of central authorities and practitioners on international cooperation in criminal matters, especially extradition, mutual legal assistance and international cooperation for purposes of confiscation, including asset recovery, and cooperation to combat money-laundering. The Meeting also urged UNODC to collect and disseminate, in cooperation with existing national institutions with expertise in the field of surveys and statistical data on criminal justice issues, information about national institutional frameworks and legal requirements for international cooperation. UNODC should also examine ways and means of facilitating the establishment of secure channels of communication among central authorities and the exchange of information between States concerned.

41. In order to more effectively implement the United Nations Convention against Transnational Organized Crime and the Protocols thereto, the United Nations Convention against Corruption, the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances and the 18 universal legal instruments against terrorism, the Meeting recommended that Member States should review national legal frameworks and practice on mutual legal assistance and extradition, with the aim of harmonizing national laws with relevant international instruments, and establish competent national central authorities that are adequately funded and staffed to effectively formulate and respond to requests for extradition and mutual legal assistance.

42. The Meeting recommended the development of standards and norms with a view to harmonizing national laws and promoting international cooperation to

combat various forms of crime, as well as for the convergence of applicable criminal sanctions.

43. The Meeting recommended the creation, promotion and strengthening by governments and international bodies of specialized networks of prosecutors and police as an effective tool for combating organized crime, violence against women and environmental crime, among others, together with active international cooperation and the strengthening of technical and economic cooperation at the regional and international levels with the aim of preventing and countering the infiltration of justice systems by transnational organized crime.

44. Member States recalled the humanitarian character of the mechanism for the transfer of sentenced persons as a means of assisting the reintegration of such persons into the family and social environment, thereby preventing reoffending. In that context, Member States highlighted the importance of expanding the network of international agreements for the transfer of sentenced persons and urged the Thirteenth Congress to explore ways and means of promoting the wider application of that mechanism to persons serving custodial sentences.

45. Member States proposed that the Thirteenth Congress should encourage the use of electronic media to expedite detention orders and other communications for the purposes of extradition, in particular through the International Criminal Police Organization (INTERPOL), through legislative amendments and through the conclusion of bilateral or regional instruments.

46. Member States proposed that the Thirteenth Congress should encourage the creation of regional networks of prosecutors with a view to more effective action to counter organized crime, along the lines of the Network of Prosecutors against Organized Crime and the Network of West African Central Authorities and Prosecutors, with the aim of exploring the possible value of amalgamating those two networks in the future.

47. In view of the lack of regionally coordinated policies and strategies that currently characterized efforts to combat transnational organized crime, it was proposed that criminal law and criminal procedure be harmonized and that resources and capacities be consolidated with respect to judges, public defenders, prosecutors, police officers and experts, especially with regard to training and advanced technology, in order to provide a rapid response through specialized units with access to information relevant to organized crime prevention and control, and that regional forums and other mechanisms be established in order to ensure an efficient and effective response.

48. Member States proposed that, throughout Latin America and the Caribbean, harmonized procedures be introduced to ensure the efficient and expeditious processing of mutual legal assistance and extradition requests, in order to achieve the aims pursued.

49. The Meeting proposed that the work of the Centre of Excellence for Statistical Information on Governance, Victimization, Public Security and Justice, operated jointly by UNODC and the National Institute of Statistics and Geography of Mexico, be drawn upon in order to assist countries in carrying out victim surveys and preparing statistical information relating to crime prevention and criminal

justice, and also to build technical and methodological capacities in Member States, thus ensuring the availability of reliable data.

50. The Meeting recommended:

(a) The promotion and coordination of joint investigations and the sharing of information and evidence to address transnational organized crime so that even if perpetrators cannot be prosecuted in one country, the network can be disrupted in another through the prosecution of the crime group in the other country;

(b) The institution of targeted and joint public-awareness programmes between source and destination countries as preventive measures for crimes such as human trafficking;

(c) The creation of training opportunities for judicial officers, prosecutors and police officers in collaboration with regional and international partners;

(d) The development of memorandums of understanding and bilateral and multilateral agreements to facilitate action to combat transnational organized crime;

(e) The strengthening of reciprocal witness protection programmes to protect victims of human trafficking and other witnesses to transnational organized crime.

Workshop 2. Trafficking in persons and smuggling of migrants: successes and challenges in criminalization, in mutual legal assistance and in effective protection of witnesses and trafficking victims

51. The Meeting urged Member States to work towards the development of a uniform reference for the typification, prosecution and prevention of the crime of trafficking that would make it possible to combat that crime effectively, in accordance with the relevant international instruments and best practices, while ensuring its criminalization regardless of the consent of the victims, and the creation of specialized offices for their rescue and accompaniment.

52. The Meeting recommended that States:

(a) Bring national legislation into line with the international mandate for an integrated approach to the crime of trafficking in persons;

(b) Strengthen regional and international coordination to provide assistance to victims of trafficking in persons by ensuring the restitution of their rights to: (i) regularization of immigration status, (ii) protection, (iii) safe return and (iv) reintegration;

(c) Improve cooperation to promote information exchange in order to ensure greater protection for victims and prosecution and punishment of the crime of trafficking in persons.

53. The Meeting proposed that a protocol should be drawn up on the provision of comprehensive care for victims of trafficking, which should have a specialized, cross-cutting and targeted approach reflecting the various ways in which victims might be affected.

54. The Meeting recommended the strengthening of technical cooperation provided to Member States for the creation of national regulatory frameworks that are in line with the Protocol against the Smuggling of Migrants by Land, Sea and

Air, supplementing the United Nations Convention against Transnational Organized Crime.

3. Item 5 of the provisional agenda of the Congress: comprehensive and balanced approaches to prevent and adequately respond to new and emerging forms of transnational crime

55. At the Meeting, Member States were urged:

(a) To work on the development of a uniform standard for the criminalization, prosecution and prevention of the crime of trafficking in the countries of Latin America — and promote its application regardless of the issue of victim consent — enabling effective action against transnational organized crime in accordance with international instruments and best practices, and to promote the establishment of specialized centres for victim rescue and support;

(b) To work on the development of a model of comprehensive care for victims of trafficking in persons, which should have a specialized, cross-cutting and targeted approach that reflects the various ways in which a victim might be affected;

(c) To strengthen cooperation and exchange of good practices in programmes for the care, protection and orderly return of victims;

(d) To redouble intelligence efforts and increase information exchange in order to identify victims of trafficking, criminal organizations and the transnational mobility and modi operandi of such organizations;

(e) To introduce, as appropriate, criminal liability for legal persons; region-wide arrest warrants; undercover investigators; international confiscation of goods; lifting of bank secrecy; sharing of evidence; and a unified register of criminals in the region at both the hemisphere and the international level. It was also necessary to strengthen protection for victims and witnesses and cross-border surveillance, inter alia, on the basis of common migration agreements.

56. The Meeting recommended that Governments adopt measures to create a secure and resilient cyber environment with a view to deterring criminal activities carried out through the Internet and social media. Such measures included the enactment of appropriate cybercrime legislation — addressing, inter alia, the investigation, criminalization and prosecution of offences related to computer crime and cybercrime — and the conduct of campaigns to raise awareness of cybersecurity.

57. The Meeting also stressed the importance of continuing work within the framework of the Commission on Crime Prevention and Criminal Justice as a contribution to the promotion of international cooperation focused on obtaining and preserving electronic evidence for referral to the courts while ensuring full observance of human rights such as the rights to privacy, freedom of expression and association, access to knowledge and the presumption of innocence.

58. Given that various platforms already exist for exchanging experiences in order to improve the prevention and prosecution of crime through intergovernmental bodies focusing on law enforcement such as INTERPOL and the Police Community of the Americas, the Meeting recommended that the commitment to continue strengthening international cooperation in the fight against national and

transnational organized crime and corruption and terrorism be maintained at the multilateral (United Nations), regional (Organization of American States) and bilateral levels, in accordance with international law.

59. The Meeting suggested that the following key elements of crime prevention and criminal prosecution be strengthened and improved:

- Training
- Inter-institutional cooperation
- Exchange of information and good practices
- Meetings focused on specific subjects, such as criminal matters
- Ongoing criminological analysis of criminal phenomena
- Maintenance of a platform for consultation on crime in the region

Workshop 3. Strengthening crime prevention and criminal justice responses to evolving forms of crime such as cybercrime and trafficking in cultural property, including lessons learned and international cooperation

60. The Meeting identified as priorities for the Latin American and Caribbean region the following new and emerging forms of transnational crime: cybercrime, trafficking in cultural property, trafficking in organs, environmental crime and fraudulent use of documents for smuggling of migrants. It was recommended that Member States develop criminal research and methodologies on new forms of crime; encourage measurement instruments that lead to better public policies aimed at inhibiting emerging forms of transnational organized crime; and identify the nature and profile of perpetrators, the socioeconomic and structural drivers of such forms of crime and the extent to which new and emerging forms of crime are facilitated by corruption.

61. Trafficking in cultural property was viewed as a new, emerging form of crime, even though many Latin American countries had suffered the pillaging of such property for many years. Despite that fact, many such countries had in place no registries proving ownership of their cultural property. The principles of burden of proof and possessor in good faith, as well as the failure to treat such conduct as a crime, made it more difficult to recover cultural property that had been illegally removed from a country. In order to combat such crimes, it was proposed that the Meeting promote the following measures among Member States: the establishment of more complete controls in their national customs areas and more efficient mechanisms of legal cooperation, and expeditious responses to requests for legal assistance.

4. Item 6 of the provisional agenda of the Congress: national approaches to public participation in strengthening crime prevention and criminal justice

62. The Meeting recognized the need for promoting community participation in crime prevention, in understanding local crime problems and traditions and in devising solutions to strengthen security and justice. The Meeting advocated action to engage with young people in truly consultative and participatory processes, in particular those at risk for crime and victimization, drawing on them as agents of

positive change and active participants in strengthening crime prevention and criminal justice.

63. The Meeting invited Member States to devote additional resources to crime prevention and victim support programmes. Moreover, Member States were called upon to review good practices in designing and implementing effective strategies, plans and programmes, at both the national and municipal levels, that ensured social inclusion and encouraged the involvement of all sectors of society (civil society, private sector, academia and the media) in strengthening the performance of the criminal justice system, as well as the services to be provided to the communities concerned.

64. The Meeting recognized the relevance of strengthening the capacities of police services to perform their functions, in particular community police that work closely with citizens in identifying solutions for the prevention of crime and violence.

65. The Meeting highlighted the importance of taking effective measures to prevent and combat the use of firearms as a means of reducing the number of homicides in the region, including through the development and conduct of special campaigns designed to eliminate the illicit use of firearms by civilians.

66. The Meeting called upon States to integrate alternative and restorative justice systems in order to achieve greater acceptance of such systems by the community. Member States were also called upon to support civil society in the region, in particular youth organizations to become more involved in crime prevention, and to provide training to such organizations in the area of combating organized crime.

67. Recognizing that witnesses of crime, whistle-blowers and judges were often intimidated and physically threatened or even murdered, the Meeting recommended the enhancement of witness protection programmes, as appropriate, as a measure to encourage them to comply with their duty to report such incidents, thus also improving the effectiveness of the fight against corruption and organized crime while promoting the participation of the public in the criminal justice system.

68. The Meeting urged Member States to promote the adoption and the strengthening of innovative programmes for managing social conflict through mechanisms of community participation oriented towards the rebuilding of neighbourhood relationships and the prevention of violence and crime.

69. The Meeting recommended:

(a) Fostering and encouraging among States the analysis, review, establishment and reform of laws that impose penalties of incarceration, bearing in mind the situations of vulnerability and social risk of offenders, through a cross-cutting approach;

(b) Fostering and encouraging among States legal reforms with a gender perspective aimed at the reduction of custodial sentences for, among others, crimes involving the smuggling of drugs into penal institutions by women in situations of vulnerability and social risk, including women in extreme poverty, with children who are minors, with elderly dependants, with disabled dependants or who are victims of domestic violence, coercion or threats, when such situations have played a decisive role in the commission of the illicit act;

(c) Fostering and encouraging among States alternatives to imprisonment as a strategy to deal with the problems of overcrowding in penitentiary systems, through the establishment of different forms of custody that allow penalties and sentences to be controlled and monitored;

(d) Fostering and encouraging among States respect for the rights of the incarcerated population, and their access to those rights, in particular with regard to sexual diversity;

(e) Allotting the necessary budgetary resources to penitentiary systems so that prison sentences are carried out in facilities that address and attend to the specific needs of the populations involved, with respect to the human rights of both those incarcerated and the penitentiary staff;

(f) Fostering among States the establishment of other penalties as alternatives to imprisonment, such as house arrest and the wearing of electronic surveillance devices, bearing in mind the situations of vulnerable women, the elderly, persons belonging to indigenous groups and disabled persons;

(g) Fostering the rational use of preventive imprisonment in strict adherence to the principle of proportionality as a factor limiting the punitive power of the State;

(h) Fostering the implementation of information systems that make it possible to obtain qualitative and quantitative data for States to develop crime policies;

(i) Promoting the utilization of programmes of restorative justice throughout the judicial process — in investigations, in the judicial determination of penalties and in the application of sanctions — in which the perpetrator, the victims and the community (understood as family, group or institutional sources of support) devise agreements with civil society support networks in order to repair the damage done to the victim by appropriate alternative means, thus reducing recidivism and costs;

(j) Establishing national observatories to record cases of violent death caused by firearms to make it possible to obtain reliable data contributing to the formulation of regional policies for addressing, preventing and reducing armed violence.

70. Finally, the Meeting recommended the following:

(a) The Thirteenth Congress, in its discussions, should give priority to the consideration of crime prevention as a key component of strategies for tackling crime based on programmes for social and economic inclusion that could reduce social inequality, hunger and poverty, in particular among the most vulnerable groups;

(b) Consideration should be given to the need for those crime prevention programmes to be supported by financial resources, to be provided foremost by States, and for the periodic evaluation of the effectiveness of the actions and programmes undertaken in the area of crime prevention, in order to lay the foundation for the exchange of information on good practices, on the basis of the analysis of reliable and comparable data. It was also suggested that national bodies for statistics should be involved in establishing or strengthening the methods used for the development of indicators and statistical information in that respect;

(c) Consideration should also be given to the need to promote the adoption and, where appropriate, the strengthening of innovative programmes for the management of social conflict through mechanisms for community participation aimed at restoring relationships among neighbourhood residents and the prevention of violence and crime.

Workshop 4. Public contribution to crime prevention and raising awareness of criminal justice: experiences and lessons learned

71. The Meeting recommended:

(a) The undertaking of discussion with a view to moving beyond fragmented models of justice to promote a comprehensive model of justice supported by interdisciplinary teams and with the participation of civil society;

(b) The promotion and enhancement of alternative forms of justice, under sustained judicial supervision, that give a central role to community participation, with the goal of strengthening and enhancing the effectiveness of the work performed by the courts;

(c) The promotion and enhancement of discussion of the structural reforms required so that criminal justice systems can find comprehensive responses to problems of citizen security, such as domestic violence.

72. The Meeting considered that, in most countries, the competence of criminal courts was limited, which prevented an appropriate response to the complex situation faced by women and child victims and by offenders themselves in the context of family violence. It proposed discussion of the changes or coordination measures necessary to ensure that criminal justice provided a better and more comprehensive response to that problem, taking into account the following considerations:

(a) The criminal justice system as a whole should deliver responses to problems relating to family violence;

(b) Multidisciplinary teams should be involved in the decision-making process of the courts in order to ensure the availability of technical information relevant to each case;

(c) An efficient monitoring system should be developed with respect to precautionary measures and alternative penalties, under the permanent supervision of the courts, in order to limit risks to victims and reduce recidivism;

(d) Activities should be linked to social networks with respect to the rendering of services relating to legal support and the physical and mental health of victims, including child victims, and offenders, under judicial supervision.

73. The Meeting also recommended that Member States recognize and assess the role of traditional and new media in the development of policies and programmes to strengthen crime prevention, victim support and criminal justice. In that regard, Member States were encouraged to share best practices and exchange information on relevant public-private partnerships and to recognize the fundamental role of education and youth participation.

74. The Meeting emphasized the importance of developing rule of law and human rights educational programmes and recommended that Member States continue to promote and strengthen such programmes, both to increase public awareness and to ensure full confidence and trust in the supremacy of law and the fair administration of justice.

B. Other issues

75. The representative of Brazil recalled the Salvador Declaration, adopted by the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, held in Brazil in 2010, and stressed that the Declaration gave great impetus to the discussion on effective policies in the field of crime prevention and criminal justice. The representative also highlighted that the Salvador Declaration made specific reference to the need to respect and protect human rights and fundamental freedoms in the prevention of crime and the administration of, and access to, criminal justice, and that the Declaration further recognized the centrality of crime prevention and the criminal justice system to the rule of law and that long-term sustainable development and the establishment of a functioning and humane criminal justice system had a positive influence on each other.

76. The observer for Qatar, the host country of the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, gave a presentation on the state of progress of all actions required for timely and efficient preparations for the Congress. He introduced the web page dedicated to the Thirteenth Congress, which had been launched by the Prime Minister of Qatar in early February 2014.

77. The representative of the United Nations Development Programme (UNDP) made a brief presentation on the UNDP *Regional Human Development Report 2013-2014 — Citizen Security with a Human Face: Evidence and Proposals for Latin America*. The report offered a regional view of citizen security for the 18 countries in continental Latin America and the Dominican Republic. The report did not cover English-speaking Caribbean countries because their situation had been analysed in the 2012 *Caribbean Human Development Report: Human Development and the Shift to Better Citizen Security*. The basic conclusion of the report was that there was no single formula for solving the problem, but insecurity could be remedied. The experiences and lessons learned in the Latin American region should be taken into account to address related challenges, and security policies needed to be evaluated periodically in terms of their effectiveness and impact.

78. The representative of the World Health Organization (WHO) Framework Convention on Tobacco Control presented the provisions and monitoring system of the Convention and of the Protocol to Eliminate Illicit Trade in Tobacco Products. The Framework Convention had been adopted in 2003 and in force since 27 February 2005. The Protocol built upon and complemented article 15 of the Framework Convention, which addressed means of countering illicit trade in tobacco products.

79. The Director of the Latin American Institute for the Prevention of Crime and the Treatment of Offenders (ILANUD)/officer of the ILANUD Standing Committee for Latin America, referred to programmes for social inclusion and the reduction of poverty in the region that had a positive effect on the reduction of crime. He

supported the continuation of joint training activities for practitioners from different sectors of the criminal justice system, the police and the penitentiary system, to be conducted in parallel with programmes for the social reintegration of offenders.

III. Attendance and organization of work

A. Date and venue of the Meeting

80. The Latin American and Caribbean Regional Preparatory Meeting for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice was held in San José from 19 to 21 February 2014.

B. Attendance

81. The following member States of the Economic Commission for Latin America and the Caribbean were represented at the Meeting: Argentina, Bolivia (Plurinational State of), Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, France, Guatemala, Honduras, Italy, Mexico, Nicaragua, Panama, Paraguay, Peru, Spain, Suriname, Trinidad and Tobago, Uruguay and Venezuela (Bolivarian Republic of).

82. Qatar was represented by observers at the Meeting.

83. The following United Nations entities were represented by observers: UNODC, United Nations Children's Fund (UNICEF) and UNDP.

84. The following institutes of the United Nations crime prevention and criminal justice programme network were represented by observers: ILANUD Standing Committee for Latin America, International Centre for Criminal Law Reform and Criminal Justice Policy, International Scientific and Professional Advisory Council and Raoul Wallenberg Institute of Human Rights and Humanitarian Law.

85. The following intergovernmental organizations were represented by observers: Conference of Ministers of Justice of Ibero-American Countries, INTERPOL, International Organization for Migration, Organization of American States and WHO Framework Convention on Tobacco Control.

86. The following non-governmental organizations in consultative status with the Economic and Social Council were represented by observers: American Society of International Law, Intercambios, International Society for Criminology, Mexican Society of Criminology and World Society of Victimology.

87. A list of participants was circulated at the Meeting under the symbol A/CONF.222/RPM.3/INF/2.

C. Opening of the Meeting

88. The Latin American and Caribbean Regional Preparatory Meeting for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice was opened on 19 February 2014 by Ana Isabel Garita, Minister of Justice and Peace of

Costa Rica. She made an opening statement, as did the Secretary of the Regional Preparatory Meeting.

89. The Minister of Justice and Peace of Costa Rica welcomed the participants and stressed that their attendance in such large numbers demonstrated the commitment of the countries in the region to strive to strengthen the administration of justice and promote the rule of law. The Minister referred to the history of the United Nations congresses on crime prevention and criminal justice, highlighting their major contribution to international standard-setting and policymaking in crime prevention and criminal justice. She referred to national policies to prevent crime and promote social inclusion and stressed the components of such policies that were geared towards protecting children and youth, preventing crime through communication campaigns, promoting restorative justice and strengthening the capacity of local government. She further underlined the active participation of Costa Rica in regional and subregional arrangements for international cooperation in criminal matters. The Minister also stressed the negative impact of such new and emerging forms of crime as cybercrime and crimes targeting the privacy and personal data of citizens, as well as crimes occurring at higher rates, such as homicide and femicide. Finally, the Minister viewed the preparatory phase for the Thirteenth Congress and the Congress itself as an opportunity for the international community to study the impact of the excessive use of detention of offenders on prison overcrowding.

90. In his opening remarks, the representative of UNODC, speaking on behalf of the Executive Director, stressed that the international community was increasingly focusing on the post-2015 development agenda, and that there was a growing international realization that weak rule of law and transnational crime were major threats to social and economic development and challenged States' ability to make progress towards the Millennium Development Goals. He highlighted that, while development planning and thinking had traditionally focused mainly on economic and employment indicators, environment, health and education, more recent years had brought increased recognition that rule of law was both an outcome and an enabler of development.

91. Reference was made to the global volume of money flow from transnational organized crime, estimated at about $870 billion per year, and to the fact that the positive forces of globalization and integration were constantly exploited by criminal groups to increase illicit activities.

92. In concluding, the speaker recalled the role historically played by the United Nations crime congresses in driving discussions about current challenges and giving States an opportunity to debate international standards and policies in crime prevention and criminal justice. He underlined that the Thirteenth Congress and its regional preparatory meetings would provide a unique opportunity for Member States to actively contribute to the post-2015 development agenda and to discuss comprehensive and balanced measures to prevent and respond to new and emerging forms of crime and criminal justice challenges.

93. The Secretary of the Regional Preparatory Meeting gave a brief overview of the substantive preparations for the Congress and the work of the first two Regional Preparatory Meetings, in the Asia and Pacific and Western Asian regions. He recalled how the theme of the Thirteenth Crime Congress, its agenda items and its workshops had been carefully identified and adopted by the General Assembly with

a view to mainstreaming the work and deliberations of the Congress, the only global conference on crime prevention and criminal justice issues, into the overall United Nations development agenda and post-2015 deliberations. In that regard, he highlighted how its theme, substantive items and workshops were closely interconnected so as to feed into each other in an upstream-downstream relationship. With a view to reflecting this close connection between the substantive items and the topics of the workshops, it was proposed and agreed to cluster the discussion of the items on the Meeting's agenda as follows:

(a) Item 4 (a) ("Successes and challenges in implementing comprehensive crime prevention and criminal justice policies and strategies to promote the rule of law at the national and international levels, and to support sustainable development") was discussed together with item 5 (a) ("Role of the United Nations standards and norms in crime prevention and criminal justice in support of effective, fair, humane and accountable criminal justice systems: experiences and lessons learned in meeting the unique needs of women and children, in particular the treatment and social reintegration of offenders"), which is the topic for workshop 1;

(b) Item 4 (b) ("International cooperation, including at the regional level, to combat transnational organized crime") was discussed together with item 5 (b) ("Trafficking in persons and smuggling of migrants: successes and challenges in criminalization, in mutual legal assistance and in effective protection of witnesses and trafficking victims"), which is the topic for workshop 2;

(c) Item 4 (c) ("Comprehensive and balanced approaches to prevent and adequately respond to new and emerging forms of transnational crime") was discussed together with item 5 (c) ("Strengthening crime prevention and criminal justice responses to evolving forms of crime such as cybercrime and trafficking in cultural property, including lessons learned and international cooperation"), which is the topic for workshop 3;

(d) Item 4 (d) ("National approaches to public participation in strengthening crime prevention and criminal justice") was discussed together with item 5 (d) ("Public contribution to crime prevention and raising awareness of criminal justice: experiences and lessons learned"), which is the topic for workshop 4.

D. Election of officers

94. At its 1st meeting, on 19 February 2014, the Meeting elected by acclamation the following officers:

Chair:	Ana Isabel Garita, Minister of Justice and Peace (Costa Rica)
Vice-Chairs:	Carlos Romero Bonifaz, Government Minister (Plurinational State of Bolivia), and Elías Rafful Vadillo, Head of the National Centre for Crime Prevention and Citizen Participation (Mexico)
Rapporteur:	Edward Belfort, Minister of Justice and Police (Suriname)

E. Adoption of the agenda and organization of work

95. Also at its 1st meeting, the Meeting adopted its provisional agenda (A/CONF.222/RPM.3/L.1), which read as follows:

1. Opening of the Meeting.
2. Election of officers.
3. Adoption of the agenda and other organizational matters.
4. Substantive items on the agenda of the Thirteenth Congress:
   (a) Successes and challenges in implementing comprehensive crime prevention and criminal justice policies and strategies to promote the rule of law at the national and international levels, and to support sustainable development;
   (b) International cooperation, including at the regional level, to combat transnational organized crime;
   (c) Comprehensive and balanced approaches to prevent and adequately respond to new and emerging forms of transnational crime;
   (d) National approaches to public participation in strengthening crime prevention and criminal justice.
5. Topics to be considered by workshops within the framework of the Thirteenth Congress:
   (a) Role of the United Nations standards and norms in crime prevention and criminal justice in support of effective, fair, humane and accountable criminal justice systems: experiences and lessons learned in meeting the unique needs of women and children, in particular the treatment and social reintegration of offenders;
   (b) Trafficking in persons and smuggling of migrants: successes and challenges in criminalization, in mutual legal assistance and in effective protection of witnesses and trafficking victims;
   (c) Strengthening crime prevention and criminal justice responses to evolving forms of crime such as cybercrime and trafficking in cultural property, including lessons learned and international cooperation;
   (d) Public contribution to crime prevention and raising awareness of criminal justice: experiences and lessons learned.
6. Recommendations for the Thirteenth Congress.
7. Adoption of the report of the Meeting.

96. At the same meeting, the Meeting approved its organization of work. The list of documents before the Meeting is contained in the annex.

IV. Adoption of the report and closure of the Meeting

97. At its 6th meeting, on 21 February 2014, the Meeting considered and adopted its report.

Annex I

List of documents

A/CONF.222/PM.1	*Discussion guide*
A/CONF.222/RPM.3/L.1	Annotated provisional agenda
A/CONF.222/RPM.3/L.2	Draft report
A/CONF.222/PM/CRP.1	Technical support team issues brief: conflict prevention, post-conflict peacebuilding and the promotion of durable peace, rule of law and governance
A/CONF.222/PM/CRP.2	Accounting for security and justice in the post-2015 development agenda